IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 743 of 2002 (S/B)

Bijendra Singh …….. Petitioner

Versus

State of Bank of India & others ……Respondents

Mr. S.S. Yadav, learned counsel for the petitioner.
Mr. Ashish Joshi, learned counsel for the respondents.

Hon. Rajesh Tandon, J.

Heard Mr. S.S. Yadav, learned counsel for the petitioner and Mr. Ashish Joshi, learned counsel for the respondents.

By means of the present writ petition the petitioner has challenged the suspension order dated 03.10.1996 passed by respondent No. 4.

Brief facts giving rise to the present writ petition are that the petitioner was working in State Bank of India, Laxman Jhula Road, Rishikesh, Dehradun and according to prosecution story he has committed a serious fraud by succeeding on Mr. Dharamendra Kumar for being fraud. The petitioner was called for explanation and he replied it on 31.07.1996 thereafter, the petitioner was suspended on 03.10.1996 with an allegation that the petitioner was involved in the forgery case. The respondents also lodged an F.I.R. against the petitioner u/s 420, 409, 466, 467, 471 & 120-B of I.P.C., Police Station Rishikesh, District Dehradun on 21.06.1996. The respondents also suspended two other employees on the same allegations. The respondents appointed an Enquiry officer on 8th October, 2001, in which the date of enquiry was fixed on 30.06.2001.

After the creation of State of Uttaranchal, the case was transferred from Allahabad High Court to this Court. On 29.06.2002 this Court has passed on order whereby this Court has stayed the operation of the impugned order dated 03.10.1996 passed by respondent No. 4 in the case of Bijendra Singh (one of the two suspended employees) in writ petition.

Both the parties have submitted that the enquiry may be completed.

Mr. S.S. Yadav, learned counsel for the petitioner apprehends that the entire documents and other papers concerning the enquiry will no be made available to him. Suffice to state that the apprehension is misconceived. The respondents shall supply the entire documents relating to the enquiry to the petitioner.

The respondents are directed to complete the enquiry within a period of four months from the date of production of certified copy of this order. The stay order dated 29.06.2002 passed by this Court shall remain in operation till the completion of enquiry or for a period of four months whichever is earlier.

Subject to the aforesaid observation, the writ petition is disposed of No order as to costs.

(Rajesh Tandon)

Dt. 13.04.2004
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